



Docket No. ICT 137

## DECLARATION AND POWER OF ATTORNEY

In re Application of: Peakix

As a below named inventor, I hereby declare that:

My residence, past office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if more than one name is listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: Methods of Intensity Stimulating the Vagus Nerve with an Electrical Field, the specification of which:

☐ is attached hereto.

It was filed on September 26, 2003 as Application Serial No. 10/672,580 (if applicable).

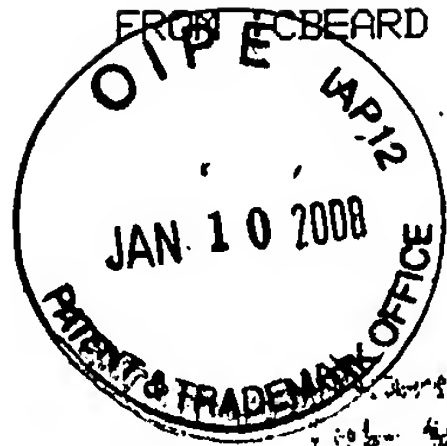
I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I understand that I have a duty of candor and good faith toward the United States Patent and Trademark Office, and I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.20.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 (a) and/or (b) of the foreign application(s) for patent or inventor's certificate listed below, or under § 165(a) of the PCT International application which designated at least one country other than the United States of America and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed:

Application Serial No.	Country	Filing Date	Priority Claimed
			Yes _____ No _____

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or PCT International application designating the United States of America listed below and, insofar as the subject matter of each of the claims in the present application is not disclosed in the prior United States or PCT application in the manner provided by the first paragraph of 35 U.S.C. § 121. I acknowledge the duty to disclose information material to patentability as defined in 37 C.F.R. § 1.26 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

Application Serial No.	Filing Date	Status: patented, pending, abandoned
10/091,713	1-16-2002	patented 6,758,854
09/716,787	11-20-2003	patented 6,919,217
09/139,442	5-25-2004	patented 6,979,323



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